

## **FISCAL NOTE**

### **SB 3177 - HB 3088**

March 11, 1998

**SUMMARY OF BILL:** Provides that a claimant filing for unemployment insurance benefits will be disqualified for misconduct connected with work if the claimant was discharged from his most recent employer for:

1. Having failed a drug test under the provisions of TCA, title 50, chapter 9.
2. Failing an alcohol test administered where the claimant's blood alcohol concentration level was equal to or greater than ten hundredths of one percent (0.10%) by weight for safety sensitive positions and four hundredths of one percent (0.04%) as determined by blood or breath testing, for safety sensitive positions.
3. Refusal to take a drug test or an alcohol test authorized by the provisions of the Drug Free Workplace Act.

Deletes language that denies benefits to a claimant who left his most recent work to avoid taking a drug or alcohol test or after receiving a positive result to a drug or alcohol test.

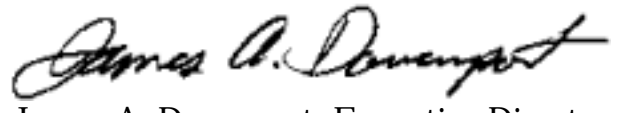
### **ESTIMATED FISCAL IMPACT:**

#### **Other Fiscal Impact - Increase Expenditures - Exceeds \$100,000 Unemployment Insurance Trust Fund**

Assumes an increase in unemployment insurance payments to claimants due to former employers who have not established a drug free work place, and discharged employees for failing or refusing to take a drug or alcohol test. Bill deletes the language that denies benefits to a claimant who left their most recent work to avoid taking a drug or alcohol test or for failing such a test. Under current law such claims could be denied not because of work related misconduct but as a result of leaving their work to avoid taking such test or the failure of such test, irregardless of whether an employer had established a drug free workplace.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first name "James" being the most prominent.

James A. Davenport, Executive Director